671 pretation of the part of the judge; and that they make no sharp distinctions between civil and criminal legal procedures--perhaps because both cases are considered equally disturbing to the society.

A. Abyssinian Law Codes.

The legal patterns of behavior that one can observe in actual practice seem often based on considerations of an unwritten kinship common law reminiscent of the Arab bedouin; at other times of the prestige-power of medieval feudal lords or of African chiefs who "can do no wrong". This pattern was probably little challenged until the 13th century A.D., when the power of the church increased so vastly with the resumption of power of the "Solomonic Dynasty".The earlier pattern was one of absolute power, quick decisions, swift punishment, much of it remained until the 20th century, and, in remote old-Amhara areas, to this day. It is referred to as "Sïbawi heg" (Man-made Law).

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627 To this older, unwritten code belongs the practice of "blood money", payable to the kinfolk of the murder victim, provided they are willing to accept payment in place of bloody revenge. A weaker kin group usually accepts, but a stronger would be ashamed to take money in place of a life, and resulting feuds, taking dozens of lives, have been known to continue for half a century in remote rural areas. The old price used to be the "semanya" (lit. 80, i.e. 80 Maria Theresa Thalers), as much as a common man could be expected to

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[627] accumulate in a lifetime. The present price is usually Eth$1000.-.

[696] This practice is so strong that even at present a judge of a semi-modern court in Addis Ababa will suspend a prison sentence for involuntary manslaughter on condition that the murderer accumulate this sum and pay it to the victim's kinfolk--a wise decision preventing a new chain of murders. Recently a uniformed policeman in Addis Ababa, who was under this sentence for just that crime, made his tour among resident Europeans in the business district, begging money, with a letter in English explaining his need, signed by his own superior officer!

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692 The absolute powers of the "ras" or "negus" in the past were limited only by the geographical boundaries of their effective military and administrative realms. All of them sat in judgment of their subjects, and combined legislative, judicial and executive powers in their persons. But each subject had the right to appeal directly to this highest authority against unjust treatment by a lower officer, provided he could throw himself in the path of the ruler and catch his attention. This right to "abyət" ("Hear me") continues to this day.

697 Nearly all "ras" and "negus" of the past maintained political prisons for their noble relatives who might become contenders to the throne. These prisons were not walled, but located on inaccessible mountain tops, "amba", and sometimes referred to as "wäheni". One such "wäheni" was located at a place called Geshan, in the old, smaller, Begemdir district, and was used by the kings of Gondar

11:Levine Z-4,5 (1958-1961)1965 MP5 Amhara MP5

symbolize communal solidarities by the forthright assertion of individual claims and grievances.

In virtually every instance of a consideration of communal projects or needs that the author observed or heard of, the dominant characteristic of the discussion was a vigorous and uncompromising assertion of individual claims. If it was a question of allotting spaces in a new marketplace, each discussant was vociferating that the portion allotted to him was insufficient. If it was a question of securing more land for various communal purposes, the various property owners involved orated against contributing a square foot unless reimbursed at some preposterous figure. If it was a scene in court or a police station, everyone with any personal grievance, real or imagined, felt it perfectly proper to interrupt at any point and give vent to his opinion. If it was a question of rebuilding a ravaged church or constructing a road, personal disputations undermined all efforts toward communal action. If it was simply a ceremonial occasion, the peaceful setting one might have expected was shattered by the airing of private disputes.

> Today a new church building was dedicated. It was built to replace one that had been destroyed more than two decades ago by the Italians. People from all over the area made the journey to attend this celebration. All night long and well into the morning the priests and *debtarā* sang and danced, accompanied as usual by sistrums and drums. Later in the morning, after the church had been officially sanctified, everyone was assembled in the open space in the church compound to listen to some verses composed in honor of the event by one of the local *bālābbāt*, a man who had been a key figure in getting the church rebuilt. He had scarcely finished reciting his poem when a woman in the audience spoke up in anger, arguing that the new church would involve more taxes and in some way would affect her property rights adversely. While he was trying to pacify her, others interrupted and began airing grievances of their own. What was to have been the climax of an occasion for the expression of communal solidarity ended as a bedlam of argument.[10]

The one area in which communal sentiments have seemed fairly strong among the Amhara has been in connection with the pursuit of outlaws. It is customary—in some Amhara districts, at least—for the local inhabitants to band together in informal posses when threatened by the presence of one or more *shīftā*, or "outlaws." Yet even here, in his attitudes toward the *shīftā*, the Amhara reveals an ambivalence regarding the maintenance of civil order and security.

The term *shīftā* had, in former times, primarily a political connotation. It referred to someone who rebelled against his feudal superior and was applied only to persons of relatively high status.[11] More recently the term has been vulgarized and broadened to include any sort of outlaw in the rural areas. In